

IN RE: PETITION FOR RESIDENTIAL

ZONING VARIANCE

S/S Box Circle, 126 ft. +/- N

of c/l Fuselage Avenue

3 Box Circle

15d Election District 6th Councilmanic District Thomas Majestic, et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-293-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thomas Majestic and Nanette Majestic, his wife, for that property known as 3 Box Circle in the Goldentree subdivision of eastern Baltimore County. The Petitioners/property owners herein seek a variance from Section 1802.3.B of the Baltimore County Zoning Regulations (BCZR), to permit a rear yard setback of 11 ft., in lieu of the required 20 ft., for an attached garage, and to amend the F.D.P. of Goldentree. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

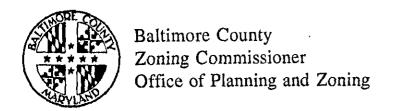
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of February, 1997 that a variance from Section 1802.3.B of the Baltimore County Zoning Regulations (BCZR), to permit a rear yard setback of 11 ft., in lieu of the required 20 ft., for an attached garage, and to amend the F.D.P. of Goldentree, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

February 13, 1997

Mr. and Mrs. Thomas Majestic 3 Box Circle Baltimore, Maryland 21221

RE: Petition for Administrative Variance

Case No. 97-293-A Property: 3 Box Circle

Dear Mr. and Mrs. Majestic:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

c: M & H Development Engineers, Inc., 200 E. Joppa Rd., Room 101 Towson, Md. 21286



Petition for Administrative Variance to Ameno The F.D.P. of Golden tree.

to the Zoning Commissioner of Baltimore County

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	97-29	3 - which is presently zoned D.R. 5.5 & D.R. 10.5
This Petition	shall he filed with the Office of Zoning Add	ministration & Development Management.
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and to a	lmena the F.D.P. of Golden	nce from Section(e) 1802.3.8; BCZR, TO Permit NOF My required 20" for an attached garage, tree.
of the Zoning	Regulations of Baltimore County, to the Zon	ing Law of Baltimore County; for the following reasons: (Indicate hardship or
practical diffi	oulty) (See Back)	
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		(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
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Contract Purchas	6//L085d4:	
		Thomas Majestic \
(Type or Print Na	me)	(Type br Print Name)
		Thomase Missota.
Signature		Signature
		Nanette Majestic
Address		(Type or Print Name)
City	State Zipcod	e Bignature
Attorney for Petit	ioner:	3 Box Circle (410) 574~4847
(Type or Print Na	me)	Address Phone No.
		Baltimore MD 21221 City State Zpcode
Signature	<u> </u>	Name, Address and phone number of representative to be contacted.
	•	M & H Development Engineers, Inc.
Address	Phone No.	Name
City	State Zipcoc	200 E. Joppa Road. Room 101 (410) 82 Address Phone No. 906 Towson, MD 21286
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		Ioning Commissioner of Baltimore County

Printed with Soybean Ink on Recycled Paper

Affidavit in support of 97-293-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

estify thereto in the event that a public nearing to the	
That the Affiant(s) does/do presently reside at 3 Box Circle	
Baltimore, MD 21221	
City State Zip Code	
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)	
Originally, when the house was constructed, the Contractor was to	
hold the house to the right property line to accommodate the propos	<u>ea</u>
garage. The house was not built to allow the proposed garage to be	
attached to the lefthand side of the existing house, without this	
variance.	_
	
That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising may be required to provide additional information. What Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising may be required to pay a reposting may be required to pay a rep	esti 5577 The State
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due for that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief	orm of law
AS WITNESS my hand and Notarial Seal. 1-11-97 NOTARY PUBLIC	
My Commission Expires: /-/-200/	
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Affidavit in support of 97-293-A Administrative Variance

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My Commission Expires: (- / - / - / - / - / - / - / - / - / - /



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

This Petition shall be filed with the Office of Zonling Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached restore and made a part harsed, hereby petition for a Variance Form Section(s) (200.3.8), BC7.8. ho put a refuse to and act of it? (in [(Un) f W rqw vx] 20° f V w w attack a gway, and to work of the Zonling Regulations of Baltimore County, to the Zonling Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (See Back) Property is to be posted and advertised as prescribed by Zonling Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zonling regulations and restrictions of Baltimore County adopted pursuant to the Zonling Law for Baltimore County above the zonling Law for Baltimore County above the zonling taw for Baltimore County above the Zonling Law for Baltimore County above the Zonling Law for Baltimore County above the Zonling Law for Baltimore County and the Zonling Law for Baltimore County above the Zonling Law for Baltimore County above the Zonling Law for Baltimore County above the Zonling Law for Baltimore County and the Zonling Law for Baltimore County above the Zonling Law for Baltimore County for the Petition. Year for the Zonling Law for Zonling Law for Baltimore County for the Petition in the Sulphane County for the Zonling Law for Baltimore County for the Zonling Law for Baltimore County for the Zonling Law for Baltimore Count		97-293-	#3 Box Circle which is presently zoned D.R. 5.5 &
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ITEM #: 29_3

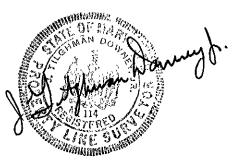


200 East Joppa Road Room 101, Shell Building Towson, Maryland 21286 (410) 828-9060

97-293-A

ZONING DESCRIPTION FOR #3 BOX CIRCLE

Beginning at a point on the South side of Box Circle which is 50' wide at the distance of 126 feet North of the centerline of the nearest improved intersecting street Fuselage Avenue, which is 60' wide. Being Lot # 367, Section # 4 in the subdivision of "Goldentree", as recorded in Baltimore County Plat Book # 52, folio 70, containing 8206 square feet. Also known as #3 Box Circle and located in the 15th. Election District, 6th. Councilmanic District.

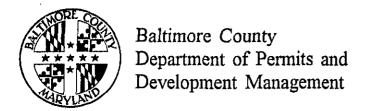


J. Tilghman Downey, Jr.

293

MCROFILMED

OFFICE OF FINAN		3 No. 02605 -293-A
DATE /-/6	4-9-7 ACCOUNT FOR	
RECEIVED	MANY STE CONTRACTOR MANAGEMENT	0.000 3 por land
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DISTRIBUTION WHITE CASHIER PINK - AGENC	VALIDATION OR SIGNATURE OF CA	



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

97-293-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTO	OR .
For newspaper advertising:	
Item No.: 293 Petitioner: Thomas & Nanoth Majestic	
Location: #3 Box Cival	
PLEASE FORWARD ADVERTISING BILL TO:	•
NAME: Thomas and Nametic Majestic	
ADDRESS: # 3 BOX CIVAL	
Baltimar, MD. 21221	····
PHONE NUMBER: (H) 574-4847 (W) 202-832-2990	
Thu Makeshi	

CERTIFICATE POSTING

91-293-A

	RE: Case No.: <u>97-293-A</u>
	Petitioner/ Developer :
•	THOMAS MAJESTIC
	Date of Henring/Closing: 2-18.97
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	·
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
This letter is to certify under the penalties of were posted conspicuously on the property Ballimore, mary law	
The sign(s) were posted on	FEB 3, 1997 (Month, Day, Year)
ZONING NOTICE AUMENIA PARENT VARIANCE CAR O 97-2-5-2-2 PUBLIC HEARING 7 PUBLIC HEARING 7 PUBLIC HEARING 1 AN ELONE PROPOSAL OF CAMPA AN ELONE PROPOSAL OF CAMPA AN ELONE PROPOSAL OF CAMPA AND CAMPA CAMPA AND CAMPA CAMPA CAMPA AND CAMPA CAMPA CAMPA AND CAMPA CAMPA AND CAMPA CAMPA AND CAMPA CAMPA AND CAMPA CAMPA CAMPA AND CAMPA CAMPA AND CAMPA CAMPA CAMPA AND CAMPA AND CAMPA CAMPA AND CAMPA AND CAMPA CAMPA AN	Sincerely, (Signature of Sign Poster and Date) (Signature of Sign Poster and Date) (Printed Name) 325 Nicholson Korap (Address) (Address) (City, State, Zip Code) (410) 687-8405 (Telephone Number)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 1/2 6/9

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE
ADMINISTRATIVE
VARIANCE
(<u>) </u>
Case No.: 97-293-A
TO REPORT A PEAR YARD SETBACK of 11'IN
LIEU of the Provinces 20' FOR AN ATTACKED
GARAGE AND TO AMEND The Final DEVElopment
Plan of GoLDENTREE
PUBLIC HEARING?

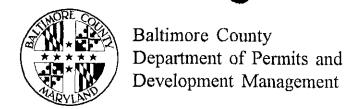
PURSUANT TO SECTION 26-127(b) (1), <u>BALTIMORE COUNTY CODE</u>, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

10

ADDITIONAL INFORMATION IS AVAILABLÉ AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-293-A (Item 293)
3 Box Circle
S/S Box Circle, 126'+/- N of c/l Fuselage Avenue
15th Election District - 6th Councilmanic
Legal Owner(s): Thomas Majestic and Namette Majestic
Post by Date: 1/26/97
Closing Date: 2/10/97

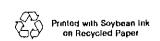
Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

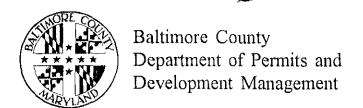
- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON CLOSING DATE, THE **PROCESS** IS NOT THE COMPLETE, THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE AVAILABLE FOR FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon Director

cc: Thomas and Nanette Majestic
M & H Development Engineers, Inc.





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 4, 1997

Mr. and Mrs. Thomas Majestic 3 Box Circle Baltimore, MD 21221

RE: Item No.: 293

Case No.: 97-293-A

Petitioner: Thomas Majestic, et ux

Dear Mr. and Mrs. Majestic:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 14, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely, Cont Richard J.

W. Carl Richards, Jr. Zoning Supervisor

WCR/re Attachment(s) BALPIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE:

1/27/97

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date: ___

January 27, 1997

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

289

292

293

294

295

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 of the Fire Marshal (410) 887-4880

January 27, 1997

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JAN. 27, 1997.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

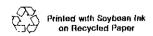
8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 271, 287, 288, 289, 290, 292, 293, 294, 295 AND 297.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICHOPILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE:

January 29, 1997

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 271, 287, 289, 290, 293, and 294

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Jeffrey W. Long E: Cary L. Kerns

PK/JL

French Comment



David L. Winstead Secretary Parker F. Williams Administrator

Ms. Roslyn Eubanks Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County 1.24.97 RE:

Item No. 293 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

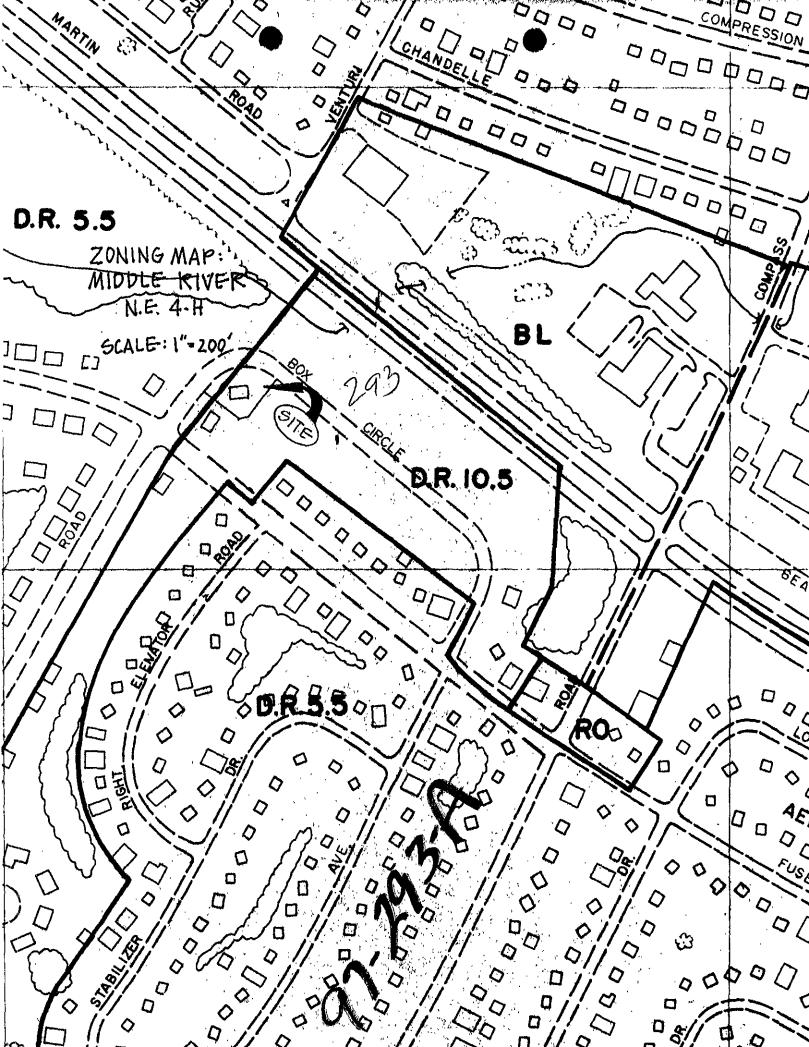
Thank you for the opportunity to review this item.

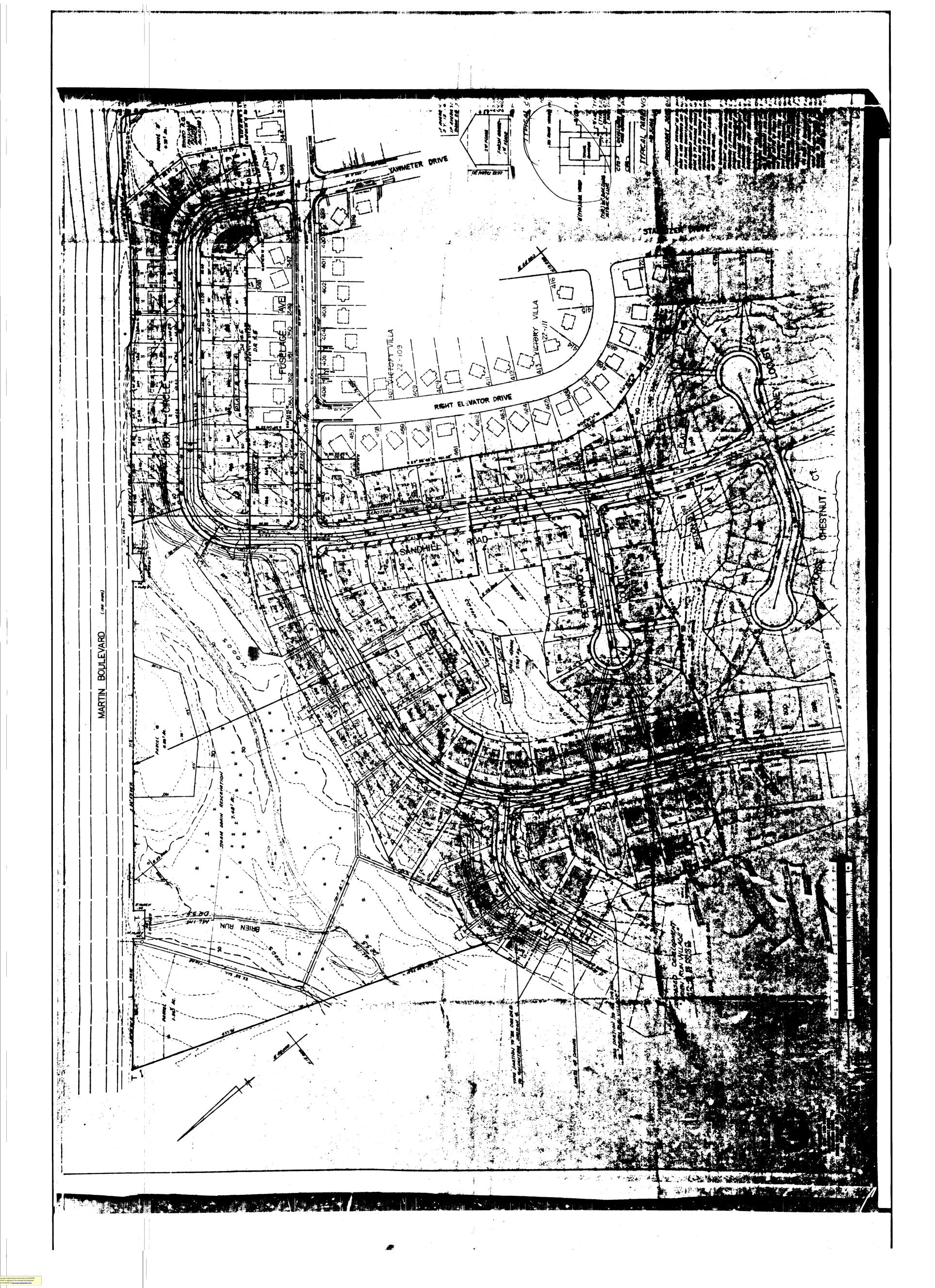
Very truly yours,

1. J. Hold In Ronald Burns, Chief **Engineering Access Permits**

Division

LG







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

REPARED BY AIR PHOTOGRAPHICS, INC.

